



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE **R.MAHADEVAN**

W.P.(MD)No.2058 of 2018

WEB COPY

S.Ahamed Sulaiman

... Petitioner

Vs.

1.The District Collector,
Tiruchirappalli District, Trichy.

2.The Revenue Divisional Officer,
Trichy.

3.The Tahsildar,
Thiruverumbur Taluk,
Trichy District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the third respondent to comply with the proceedings of the first respondent in his Na.Ka.No.A3/7899/2007, dated 21.06.2016 and to disburse the Special Provident Fund, Earned Leave and Unearned Leave to the petitioner within the time limit that may be fixed by this Court.

For Petitioner

: Mr.T.Senthil Kumar

For Respondent

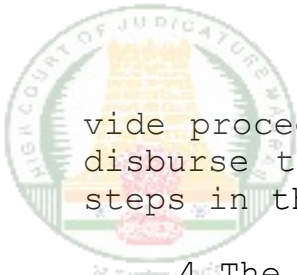
: Mr.C.M.Mari Chelliah Prabuu
Additional Government Pleader

ORDER

Seeking for a direction to the third respondent to comply with the proceedings of the second respondent, dated 21.06.2016, and to disburse the Special Provident Fund, Earned Leave and Unearned Leave to the petitioner, the present writ petition has been filed.

2.Heard the learned Counsel on either side and perused the materials available on record.

3.According to the learned Counsel for the petitioner, the petitioner was working as a Village Administrative Officer. On the date of superannuation, ie., on 30.06.2010, the second respondent vide proceedings, dated 30.06.2010, suspended the petitioner from service and not permitted him to retire from service, on the ground of pendency of criminal case against him. Hence, he made a representation to the respondents seeking Special Provident Fund and Surrender Leave Salary. Considering the same, the second respondent,



vide proceedings dated 21.06.2016, directed the third respondent to disburse the same. However, the third respondent has not taken any steps in this regard. Hence, the present writ petition.

4. The learned Additional Government Pleader appearing for the respondents, on instructions, submitted that the grievance of the petitioner would be addressed on merits within the time stipulated by this Court.

5. Under such facts and circumstances of the case, this Court, without going into the merits of the case, directs the respondents to consider the petitioner's case, on merits and in accordance with law, and also in the light of the proceedings of the second respondent, dated 21.06.2016, and pass appropriate orders, after affording opportunity of hearing to the petitioner, within a period of six weeks from the date of receipt of a copy of this order.

6. This writ petition is disposed of, with the above direction. No costs.

Sd/-

Assistant Registrar

/ True Copy /

Sub Assistant Registrar (CS)

To

1. The District Collector,
Tiruchirappalli District, Trichy.

2. The Revenue Divisional Officer,
Trichy.

3. The Tahsildar,
Thiruverumbur Taluk,
Trichy District.

+1 CC to M/s. T. SENTHIL KUMAR, Advocate
(SR-52889[F] dated 11/03/2019)

+1 CC to M/s. SPL GP (SR-53271[F] dated 12/03/2019)

ORDER MADE IN
W.P. (MD) No. 2058 of 2018
11.03.2019

cmr